

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P. O. R. 1419

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,693	10/17/2003	Edward Flory	27475/06642	2692
	590 05/09/2005		EXAM	INER
CALFEE HALTER & GRISWOLD, LLP 800 SUPERIOR AVENUE			BARRETT, SUZANNE LALE DINO	
SUITE 1400 CLEVELAND	011 44114		ART UNIT	PAPER NUMBER
CLEVELAND	OR 44114		3676	

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary  - The MAILING DATE of this communication appeared for Reply  A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the professions of 37 CFN.  after SIK (BMONTHS from the mailing date of this communication.  If the period for reply specified above its mask must statutory period.  If the period for reply specified above, the masking state of the most property of the profession of 37 CFR.  If the period for reply specified above, the masking state of the mailing state of the mailing state of the state of the specified above, the masking state of the state of t	LY IS SET TO EXPIRE 1 MO  139(a). In no event, however, may a rep b) within the statutory minimum of bibity, will apply and will expire 53X (b) MONTH c cause the application to become ABAI ng date of this communication, even if tim  100 ctober 2003 and 03 June 20  5 action is non-final.  Indee except for formal matter	NTH(S) FROM  by be timely filed  30) days will be considered timely.  15 from the mailing date of this communication.  16 from the mailing date of this communication.  17 from the mailing date of this communication.
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2a) ☐ This action is FINAL. 2b) ☐ This	s action is non-final. Ince except for formal matter	S. Drosecution as to the merits is
	ince except for formal matter	s, prosecution as to the merits is
Once this application is in condition for allowa	Ex parte Quayle, 1935 C.D. 1	o, prosecution as to the ments is
closed in accordance with the practice under		11. 453 O.G. 213
isposition of Claims		, 100 0.0. 210.
4) Claim(s) <u>5-25</u> is/are pending in the application		
4a) Of the above claim(s) is/are withdra	wn from consideration.	
5) Claim(s) is/are allowed.		
6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to.		
8) Claim(s) 5-25 are subject to restriction and/or of	-1	
oralings of the subject to restriction and/or i	election requirement.	
oplication Papers		
9) The specification is objected to by the Examine	er.	
10) ☐ The drawing(s) filed on is/are: a) ☐ acc	epted or b) objected to by	the Examiner
Applicant may not request that any objection to the	drawing(s) be held in abevance	See 37 CFR 1.85(a)
Replacement drawing sheet(s) including the correct	ion is required if the drawing(s)	is objected to See 37 CED 1 121(4)
11) The oath or declaration is objected to by the Ex	aminer. Note the attached O	ffice Action or form PTO-152
iority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for foreign		
a) ☐ All b) ☐ Some * c) ☐ None of:	phonity under 35 U.S.C. § 11	19(a)-(d) or (f).
1. Certified copies of the priority documents	hava baan see-iid	
2. Certified copies of the priority documents	have been received.	N
Copies of the certified copies of the priori	ity documents have been e	ication No
application from the International Bureau	(PCT Rule 17 2/a))	erved in this National Stage
* See the attached detailed Office action for a list of	of the certified copies not rec	havia
2 23.00.10.10.10.10.10.10.10.10.10.10.10.10.	copies not lec	eiveu.
schment(s)		
Notice of References Cited (PTO-892)	4) Interview Summ	nary (PTO-413)
Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/Ma	ail Date nal Patent Application (PTO-152)

U.S. Patent and Trademark Office PTOL-326 (Rev. 1-04)

6) Other: \_\_\_\_\_.

Art Unit: 3676

## DETAILED ACTION

## Election/Restrictions

- Restriction to one of the following inventions is required under 35 U.S.C. 121;
  - Claims 5-18, drawn to a lock, classified in class 70, subclass 134.
  - Claims 19-23, drawn to a method of changing the combination of a lock, classified in class 70, subclass 314.
- III. Claims 24,25, drawn to a locker lock, classified in class 70, subclass 100.
  The inventions are distinct, each from the other because of the following reasons:
- 2. Inventions I,II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a lock for use on structures other than a locker; invention III has separate utility as a method of changing a lock other than a locker lock of invention II or the claimed lock of invention I. See MPEP § 806.05(d).
- Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Dino Barrett whose telephone number is 571-272-7053. The examiner can normally be reached on M-Th 8:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Súzanne Dino Barre Primary Examiner Art Unit 3676